

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PAOLA B. COLON,

Plaintiff,

-against-

GRAF REPETTI & CO., LLP and  
FAMILY OFFICE GROUP, LLC,

Defendants.

**Civil Action No.: 07-9572**

**DECLARATION OF**  
**SUSAN K. SLIM**

**Hon. Robert. P. Patterson, Jr.**

Return Date: March 7, 2008

SUSAN K. SLIM, declares, pursuant to the provisions of 28 U.S.C. § 1746:

1. I am associated with the law firm of WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP, attorneys for defendants GRAF REPETTI & CO., LLP ("GR&C") and FAMILY OFFICE GROUP, LLC ("FOG"; collectively, "defendants") in the above-referenced matter. As such, I am fully familiar with the facts and circumstances set forth herein.

2. This Declaration, together with the exhibits annexed hereto and accompanying Memorandum of Law, is submitted:

- a. In further support of defendants' motion seeking an Order dismissing the Verified Complaint of Paola Colon ("plaintiff"), with prejudice: (a) for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1), and/or (b) for failure to state a cause of action under which relief may be granted, pursuant to Fed. R. Civ. P. 12(b)(6);
- b. In opposition to plaintiff's request that the Court grant her summary disposition of four of the five elements of her claim pursuant to Section 105 (a) of the Family and Medical Leave Act ("FMLA") claim; and

c. For such other and further relief as this Court deems just and proper.

3. Attached hereto, and made a part hereof, is the Affidavit of Peter Graf, with accompanying exhibits, sworn to on March 4, 2008, as Exhibit "A."

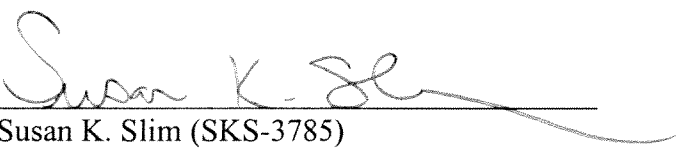
4. Attached hereto, and made a part hereof, as Exhibit "B" is a true and complete copy of an "Earnings Statement," issued by Family Office Group LLC to Paola M. Baldizon (a/k/a Paola Colon) for the pay period ending on November 15, 2006, produced by Paola B. Colon in "Response to Plaintiffs' First Request for the Production of Documents" as discovery in the parallel action pending in the Supreme Court, County of Westchester, entitled *Peter Graf, Nancy Kunak and Family Office Group, LLC v. Paola B. Colon*, and filed under the Index Number 23329/06.

5. I declare, under penalty of perjury, that the foregoing is true and correct.

Executed: New York, New York  
March 7, 2008

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By:   
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